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E-Filed: 7/24/07

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STATUS AND AGENDA FOR JULY
27, 2007 HEARINGS**

Date of Hearing: July 27, 2007
Time of Hearing: 9:30 a.m.

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

9:30 a.m.

1. Adv. 06-01245-lbr WALCH et al v. USA COMMERCIAL MORTGAGE
COMPANY, **STATUS CONFERENCE RE: COMPLAINT [DE 13]**

Status: Counsel for the USACM Liquidating Trust and Mr. Walch are
working on a settlement.

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2. Adv. 06-01146-lbr USA COMMERCIAL MORTGAGE COMPANY v. Wells Fargo Bank, N.A., **STATUS HEARING RE: AMENDED COMPLAINT FOR INTERPLEADER (CONSOLIDATED W/ 06-1167)** Filed by DAVID W. HUSTON on behalf of USA COMMERCIAL MORTGAGE COMPANY against all defendants (HUSTON, DAVID) Modified on 10/27/2006 to add "with certificate of service" to verbiage [DE 54]

Related Filings: Virtual Minute Entry in reference to hearing On: 03/27/2007
3/27/2007 [DE 120]

Status:

3. **Omnibus Objection to Claim of Claimants on Exhibit A (*Commission Claims Asserting Priority Status*)** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST (Attachments: # (1) Exhibit A) [DE 3255]

Objection Filed: 4/11/2007 Objection to *Objection to Claim* Filed by GREEN VALLEY SECURE INVESTMENTS (Stewart Baskin -- Claim No. 10725-1792) (Related document(s) [3255] Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST) (Lakas, WM) Additional attachment(s) added on 4/18/2007 (Lakas, WM). Modified on 4/18/2007 to Add Attachment, Relate to #3255, and to Remove (NOTE: Could Not Locate an Objection to Claim for this Creditor) Verbiage [DE 3430]

Response Filed: 4/19/2007 Response to *Objection to Claims Nos 10725-00779, 10725-00780, 10725-00781, 10725-00783 and 10725-00904 assigned to Debt Acquisition Company of America V, LLC* Filed by DEAN T. KIRBY JR. on behalf of DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) (Related document(s)[3255] Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3492]

4/19/2007 Response /*Declaration of Tom Stewart to Objection to Claim No. 10725-00779 Assigned to Debt Acquisition Company of America V, LLC* Filed by DEAN T. KIRBY JR. on behalf of DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) (Related document(s)[3255] Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3493]

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4/19/2007 Response /Declaration of Howard Justus in Response to Objection to Claim Nos. 10725-00779, 10725-00780, 10725-00781, 10725-00783 and 10725-00904, Assigned to Debt Acquisition Company of America V, LLC Filed by DEAN T. KIRBY JR. on behalf of DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) (Related document(s)[3255] Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3495]

4/19/2007 Response /Declaration of Pompeo Lombardi to Objection to Claim No. 10725-00780 Assigned to Debt Acquisition Company of America V, LLC Filed by DEAN T. KIRBY JR. on behalf of DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) (Related document(s)[3255] Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3496]

4/19/2007 Response /Declaration of Oliver Puhr to Objection to Claim No. 10725-00783 Assigned to Debt Acquisition Company of America V, LLC Filed by DEAN T. KIRBY JR. on behalf of DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) (Related document(s)[3255] Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3497]

Opposition Filed: Michael P. Mollo (Claim Nos. 10725-366, 10725-371) [DE 3337]
4/04/2007

Related Filing: Order Sustaining Omnibus Objection of the USACM
6/26/2007 LIQUIDATING TRUST to Commission Claims Asserting Priority Status (Related document(s)[3255](#) Objection to Claim filed by Interested Party USACM LIQUIDATING TRUST.) [DE 4056]

Status: Unresolved Claimants include: Debt Acquisition Company of America V, LLC (assignees of claims transferred by: Pompeo J. Lombardi, Dalton Maffett, Oliver Puhr, Tom Stewart, and Janet Szabo); Stewart Baskin; and Michael P. Mollo

4. **Objection to Claim 819 of SPECTRUM FINANCIAL in the amount of \$49,581,000 ;Claim 821 of ROLLAND P. WEDDELL in the amount of \$13,081,000** filed by JEANETTE E. MCPHERSON on behalf of USA COMMERCIAL MORTGAGE COMPANY [DE 2021]

Response Filed: Response with Certificate of Service Filed by SCOTT D.
1/10/2007 FLEMING on behalf of SPECTRUM FINANCIAL GROUP

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(Related document(s)[2021] Objection to Claim, filed by Debtor USA COMMERCIAL MORTGAGE COMPANY.) [DE 2394]

1/10/2007 Response with Certificate of Service Filed by SCOTT D. FLEMING on behalf of ROLLAND P. WEDDELL (Related document(s)[2021] Objection to Claim, filed by Debtor USA COMMERCIAL MORTGAGE COMPANY.) [DE 2398]

1/11/2007 Amended Response with Certificate of Service Filed by SCOTT D. FLEMING on behalf of SPECTRUM FINANCIAL GROUP (Related document(s)[2021] Objection to Claim, filed by Debtor USA COMMERCIAL MORTGAGE COMPANY.) (FLEMING, SCOTT) Modified on 1/12/2007 to add "amended" verbiage [DE 2404]

1/11/2007 Amended Response with Certificate of Service Filed by SCOTT D. FLEMING on behalf of ROLLAND P. WEDDELL (Related document(s)[2021] Objection to Claim, filed by Debtor USA COMMERCIAL MORTGAGE COMPANY.) [DE 2406]

Stipulation Filed: Stipulation By SPECTRUM FINANCIAL GROUP, ROLLAND P. WEDDELL and Between Debtors *Continuing Hearing from January 17, 2007 to January 31, 2007* Filed by SCOTT D. FLEMING on behalf of SPECTRUM FINANCIAL GROUP, ROLLAND P. WEDDELL (Related document(s)[2021] Objection to Claim, filed by Debtor USA COMMERCIAL MORTGAGE COMPANY) [DE 2425]

Stipulation Filed: Stipulation to Continue Hearing on ROLLAND P. WEDDELL and SPECTRUM FINANCIAL GROUP, LLC's Proofs of Claim (Related document(s)[2425] Stipulation, filed by Creditor ROLLAND P. WEDDELL, Creditor SPECTRUM FINANCIAL GROUP.) [DE 2437]

Stipulation Filed: Stipulation and Order Continuing Hearing on USA COMMERCIAL MORTGAGE COMPANY's Objection to Proof of Claim No. 819 Filed by SPECTRUM FINANCIAL GROUP, LLC and Claim No. 821 Filed by ROLLAND P. WEDDELL. Hearing scheduled 3/1/2007 at 09:30 AM at LBR-Courtroom 1, Foley Federal Bldg. (Related document(s)[2021] Objection to Claim, filed by Debtor USA COMMERCIAL MORTGAGE COMPANY.) [DE 2838]

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1 **Stipulation Filed:** Stipulation and Order Continuing Hearing on USA
2 3/02/2007 COMMERCIAL MORTGAGE COMPANY'S Objection to Proof
3 of Claim No. 819 Filed by SPECTRUM FINANCIAL GROUP,
4 LLC and Claim No. 821 Filed by ROLLAND P WEDDELL
(Related document(s)[2021] Objection to Claim, filed by Debtor
USA COMMERCIAL MORTGAGE COMPANY.) [DE 2975]

5 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
6 3/26/2007 SPECTRUM FINANCIAL and ROLLAND P. WEDDELL Filed
7 by ROB CHARLES on behalf of USACM LIQUIDATING
8 TRUST (Related document(s)[2021] Objection to Claim, filed by
Debtor USA COMMERCIAL MORTGAGE COMPANY) [DE
3277]

9 **Related Filings:** Order Approving Stipulation to Continue the Hearing on
10 3/26/2007 Objection to Claim 819 of SPECTRUM FINANCIAL in the
11 Amount of \$49,581,000; Claim 821 of ROLLAND P. WEDDELL
12 in the Amount of \$13,081,000 (Related document(s)[3277]
13 Stipulation, filed by Interested Party USACM LIQUIDATING
TRUST.) (Lakas, WM) Modified on 3/26/2007 to Reflect Docket
Entry Change - Incorrect Image Attached - See #3281 [DE 3278]

14 **Related Filings:** Order Approving Stipulation to Continue the Hearing on
15 3/26/2007 Objection to Claim 819 of SPECTRUM FINANCIAL in the
16 Amount of \$49,581,000; Claim 821 of ROLLAND P. WEDDELL
17 in the Amount of \$13,081,000 (Related document(s)[3277]
Stipulation, filed by Interested Party USACM LIQUIDATING
TRUST.) [DE 3281]

18 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
19 4/24/2007 Spectrum Financial and Rolland P. Weddell *Continuing Hearing
on Objection* Filed by ROB CHARLES on behalf of USACM
20 LIQUIDATING TRUST (Related document(s)[2021] Objection
to Claim, filed by Debtor USA COMMERCIAL MORTGAGE
21 COMPANY) [DE 3538]

22 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
23 4/24/2007 Objection to Claim 819 of SPECTRUM FINANCIAL in the
24 Amount of \$49,581,000; Claim 821 of ROLLAND P. WEDDELL
25 in the Amount of \$13,081.000 (Related document(s)[3538]
Stipulation, filed by Interested Party USACM LIQUIDATING
TRUST.) [DE 3542]

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Related Filing:

1/10/2007

Declaration of William Schilz in Support of Response Filed by SCOTT D. FLEMING on behalf of SPECTRUM FINANCIAL GROUP (Related document(s)[2394] Response filed by Creditor SPECTRUM FINANCIAL GROUP) (Attachments: # (1) Exhibit 1 & 2# (2) Exhibit 3 - part 1# (3) Exhibit 3 - part 2, 4 & 5) [DE 2396]

1/11/2007

Amended Declaration of William Schilz in Support of Response Filed by SCOTT D. FLEMING on behalf of SPECTRUM FINANCIAL GROUP (Related document(s)[2404] Response filed by Creditor SPECTRUM FINANCIAL GROUP) (Attachments: # (1) Exhibit 1 & 2# (2) Exhibit 3 - part 1# (3) Exhibit 3 - part 2, Exhibits 4 & 5) [DE 2405]

1/10/2007

Declaration of Rolland P. Weddell in Support of Response Filed by SCOTT D. FLEMING on behalf of ROLLAND P. WEDDELL (Related document(s)[2398] Response filed by Creditor ROLLAND P. WEDDELL) (Attachments: # (1) Exhibit 1 & 2# (2) Exhibit 3 - part 1# (3) Exhibit 3 - part 2, 4 & 5) [DE 2399]

1/11/2007

Amended Declaration of Rolland P. Weddell in Support of Response Filed by SCOTT D. FLEMING on behalf of ROLLAND P. WEDDELL (Related document(s)[2406] Response filed by Creditor ROLLAND P. WEDDELL) (Attachments: # (1) Exhibit 1 & 2# (2) Exhibit 3 - part 1# (3) Exhibit 3 - part 2, Exhibit 4 & 5) [DE 2407]

Status:

5. **Objection to Claim 37, 38, and 39 of PENSION BENEFIT GUARANTY CORPORATION** filed by LENARD E. SCHWARTZER on behalf of USA CAPITAL REALTY ADVISORS, LLC [DE 2980]

Stipulation Filed:

4/18/2007

Stipulation By USACM LIQUIDATING TRUST and Between Pension Benefit Guaranty Corporation; USA Capital Realty Advisors, LLC; USA Securities, LLC; and USA Commercial Mortgage Company *Continuing Hearing on Objection to Proofs of Claim filed by Pension Benefit Guaranty Corporation* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST (Related document(s)[2980] Objection to Claim filed by Jnt Admin Debtor USA CAPITAL REALTY ADVISORS, LLC, [2982] Objection to Claim filed by Jnt Admin Debtor USA SECURITIES, LLC, [2978] Objection to Claim filed by Debtor

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USA COMMERCIAL MORTGAGE COMPANY) [DE 3486]

Related Filing:
4/23/2007

Order Approving Stipulation to Continue the Hearing on Objection to Proofs of Claim Filed by PENSION BENEFIT GUARANTY CORPORATION (Related document(s)[3486] Stipulation, , filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3521]

Stipulation Filed:
6/12/2007

Stipulation By USA CAPITAL REALTY ADVISORS, LLC, USA SECURITIES, LLC and Between THE PENSION BENEFIT GUARANTY CORPORATION *Further Continuing The Hearing on Objections To THE PENSION BENEFIT GUARANTY CORPORATION's Claims Filed Against USA SECURITIES, LLC and USA CAPITAL REALTY ADVISORS, LLC* Filed by JEANETTE E. MCPHERSON on behalf of USA CAPITAL REALTY ADVISORS, LLC, USA SECURITIES, LLC (Related document(s)[2980] Objection to Claim filed by Jnt Admin Debtor USA CAPITAL REALTY ADVISORS, LLC, [2982] Objection to Claim filed by Jnt Admin Debtor USA SECURITIES, LLC) [DE 3961]

Related Filing:
6/13/2007

Order Approving Stipulation to Further Continue the Hearing on Objections to the PENSION BENEFIT GUARANTY CORPORATIONS's Claims Against USA SECURITIES, LLC and USA CAPITAL REALTY ADVISORS, LLC (Related document(s)[3961] Stipulation, , filed by Jnt Admin Debtor USA CAPITAL REALTY ADVISORS, LLC, Jnt Admin Debtor USA SECURITIES, LLC.) [DE 3966]

Status:

6. **Objection to Claim 24, 25, and 26 of PENSION BENEFIT GUARANTY CORPORATION** filed by LENARD E. SCHWARTZER on behalf of USA SECURITIES, LLC [DE 2982]

Stipulation Filed:
4/18/2007

Stipulation By USACM LIQUIDATING TRUST and Between Pension Benefit Guaranty Corporation; USA Capital Realty Advisors, LLC; USA Securities, LLC; and USA Commercial Mortgage Company *Continuing Hearing on Objection to Proofs of Claim filed by Pension Benefit Guaranty Corporation* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST (Related document(s)[2980] Objection to Claim filed by Jnt Admin Debtor USA CAPITAL REALTY ADVISORS, LLC,

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[2982] Objection to Claim filed by Jnt Admin Debtor USA SECURITIES, LLC, [2978] Objection to Claim filed by Debtor USA COMMERCIAL MORTGAGE COMPANY) [DE 3486]

Related Filing:
4/23/2007

Order Approving Stipulation to Continue the Hearing on Objection to Proofs of Claim Filed by PENSION BENEFIT GUARANTY CORPORATION (Related document(s)[3486] Stipulation, , filed by Interested Party USACM LIQUIDATING TRUST.) [DE 3521]

Stipulation Filed:
6/12/2007

Stipulation By USA CAPITAL REALTY ADVISORS, LLC, USA SECURITIES, LLC and Between THE PENSION BENEFIT GUARANTY CORPORATION *Further Continuing The Hearing on Objections To THE PENSION BENEFIT GUARANTY CORPORATION's Claims Filed Against USA SECURITIES, LLC and USA CAPITAL REALTY ADVISORS, LLC* Filed by JEANETTE E. MCPHERSON on behalf of USA CAPITAL REALTY ADVISORS, LLC, USA SECURITIES, LLC (Related document(s)[2980] Objection to Claim filed by Jnt Admin Debtor USA CAPITAL REALTY ADVISORS, LLC, [2982] Objection to Claim filed by Jnt Admin Debtor USA SECURITIES, LLC) [DE 3961]

Related Filing:
6/13/2007

Order Approving Stipulation to Further Continue the Hearing on Objections to the PENSION BENEFIT GUARANTY CORPORATIONS's Claims Against USA SECURITIES, LLC and USA CAPITAL REALTY ADVISORS, LLC (Related document(s)[3961] Stipulation, , filed by Jnt Admin Debtor USA CAPITAL REALTY ADVISORS, LLC, Jnt Admin Debtor USA SECURITIES, LLC.) [DE 3966]

Status:

7. **Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC, to Claims filed by James W. Shaw, First Trust Company of Onaga, Custodian for Charles Cunningham, Sr., IRA, Dorothea K. Overleese Revocable Trust, Halseth Family Trust, Katrine Mirzaian, Ernest J. Moore, Darlene Turner, Donald and Beverly Swezey 2001 Trust, and David B. Krynzal** Filed by ANNE M. LORADITCH on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 3912]

Reply Filed:
6/18/2007

Reply Filed by BEVERLY SWEZEY, DONALD SWEZEY (Related document(s)[3912] Objection, filed by Jnt Admin Debtor USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC.)

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[DE 4020].

Status:

8. **Objection to Certain Scheduled Claims** filed by JEANETTE E. MCPHERSON on behalf of USA CAPITAL REALTY ADVISORS, LLC [DE 3919]

Status: No responses have been filed and this objection is unopposed.

9. ***Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC, to Proofs of Interest*** Filed by BOB L. OLSON on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 3933]

Response Filed: 7/02/2007 Response to *Omnibus Objection of Post-Effective Date USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, to Proofs of Interest* Filed by ANTHONY G. ADAMS, BRIAN M. ADAMS, ESQ., HERMAN M. ADAMS, ESQ. (Related document(s)[3933] Document filed by Jnt Admin Debtor USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC.) [DE 4114].

Status:

10. ***Second Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC, To Proofs Of Interest*** Filed by ANNE M. LORADITCH on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 3935]

Status:

11. ***Third Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC, to Proofs of Interest*** Filed by BOB L. OLSON on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 3937]

Status:

12. ***Second Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC To (1) Claim Filed by Beadle McBride & Reeves, LLP; and (2) Scheduled Claim of GMAC Commercial Holding Capital Corporation*** Filed by ANNE

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M. LORADITCH on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC [DE 3939]

Status:

13. **Motion to Quash Subpoena** Filed by RYAN J. WORKS on behalf of
Eugene Buckley [DE 4046]

Related Filings: Declaration Of: Eugene Buckley *In Support of Motion to Quash*
6/22/2007 *Subpoena* Filed by RYAN J. WORKS on behalf of Eugene
Buckley (Related document(s)[4046] Motion to Quash filed by
Other Prof. Eugene Buckley) [DE 4047].

Status:

14. **Motion to Withdraw as Attorney of Record (*Motion to Withdraw as***
***Counsel to Del and Ernestine Bunch and Certificate of Service*)** Filed by RICHARD F.
HOLLEY on behalf of DEL BUNCH, ERNESTINE BUNCH [DE 4135]

Related Filings: Affidavit Of: Richard F. Holley, Esq. *in Support of Motion to*
7/06/2007 *Withdraw as Counsel to Del and Ernestine Bunch and Certificate*
of Service Filed by RICHARD F. HOLLEY on behalf of DEL
BUNCH, ERNESTINE BUNCH (Related document(s)[4135]
Motion to Withdraw as Attorney of Record filed by Creditor DEL
BUNCH, Creditor ERNESTINE BUNCH) [DE 4136].

Status:

DATED: July 24, 2007.

LEWIS AND ROCA LLP

By: /s/ Rob Charles (#6593)

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